

1 A bill to be entitled
 2 An act relating to the misuse of emergency
 3 communications systems; amending s. 365.172, F.S.;
 4 providing enhanced criminal penalties for a specified
 5 violation relating to the use of emergency
 6 communications services which results in great bodily
 7 harm, permanent disfigurement, permanent disability,
 8 or death; requiring courts to order restitution for
 9 certain damages and injuries; providing requirements
 10 for such restitution; amending s. 921.0022, F.S.;
 11 ranking offenses on the offense severity ranking chart
 12 of the Criminal Punishment Code; providing an
 13 effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

16
 17 **Section 1. Subsection (14) of section 365.172, Florida**
 18 **Statutes, is amended to read:**

19 365.172 Emergency communications.—

20 (14) MISUSE OF 911, E911, OR NG911 SYSTEM; PENALTY.—911,
 21 E911, and NG911 service must be used solely for emergency
 22 communications by the public.

23 (a) A ~~any~~ person who does any of the following commits a
 24 misdemeanor of the first degree, punishable as provided in s.
 25 775.082 or s. 775.083:

26 1. Accesses the number 911 for the purpose of making a
27 false alarm or complaint or reporting false information that
28 could result in the emergency response of any public safety
29 agency.~~;~~ ~~any person who~~

30 2. Knowingly uses or attempts to use such service for a
31 purpose other than obtaining public safety assistance.~~;~~ ~~or any~~
32 ~~person who~~

33 3. Knowingly uses or attempts to use such service in an
34 effort to avoid any charge for service, ~~commits a misdemeanor of~~
35 ~~the first degree, punishable as provided in s. 775.082 or s.~~
36 ~~775.083.~~

37 (b) If a person violates subparagraph (a)1. and the
38 subsequent emergency response by a public safety agency results
39 in:

40 1. Great bodily harm, permanent disfigurement, or
41 permanent disability to any person as a proximate result of
42 lawful conduct arising out of the emergency response, the person
43 commits a felony of the third degree, punishable as provided in
44 s. 775.082, s. 775.083, or s. 775.084.

45 2. Death to any person as a proximate result of lawful
46 conduct arising out of the emergency response, the person
47 commits a felony of the second degree, punishable as provided in
48 s. 775.082, s. 775.083, or s. 775.084.

49 (c) After being convicted of unauthorized use of emergency
50 communications services such service four times, a person who

51 continues to engage in such unauthorized use commits a felony of
 52 the third degree, punishable as provided in s. 775.082, s.
 53 775.083, or s. 775.084.

54 (d) A court shall order any person convicted of violating
 55 this subsection to pay restitution to a responding public safety
 56 agency and any other victim who suffers damage or injury as a
 57 proximate result of lawful conduct arising out of an emergency
 58 response. The restitution must include the full payment of any
 59 cost incurred by a responding public safety agency ~~In addition,~~
 60 ~~if the value of the service or the service charge obtained in a~~
 61 ~~manner prohibited by this subsection exceeds \$100, the person~~
 62 ~~committing the offense commits a felony of the third degree,~~
 63 ~~punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

64 **Section 2. Paragraphs (b) and (e) of subsection (3) of**
 65 **section 921.0022, Florida Statutes, are amended to read:**

66 921.0022 Criminal Punishment Code; offense severity
 67 ranking chart.—

68 (3) OFFENSE SEVERITY RANKING CHART

69 (b) LEVEL 2

70

Florida	Felony	Description
Statute	Degree	
<u>365.172 (14) (b) 1.</u>	<u>3rd</u>	<u>Misuse of emergency communications system causing</u>

71

72	379.2431 (1) (e) 3.	3rd	<u>great bodily harm, permanent disfigurement, or permanent disability.</u> Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
73	379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
74	403.413 (6) (c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
75	517.07 (2)	3rd	Failure to furnish a prospectus meeting requirements.
76	590.28 (1)	3rd	Intentional burning of lands.
77			

78	784.03 (3)	3rd	Battery during a riot or an aggravated riot.
79	784.05 (3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
80	787.04 (1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
81	806.13 (1) (b) 3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
82	806.13 (3)	3rd	Criminal mischief; damage of \$200 or more to a memorial or historic property.
	810.061 (2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.

83	810.09 (2) (d)	3rd	Trespassing on posted commercial horticulture property.
84	812.014 (2) (c) 1.	3rd	Grand theft, 3rd degree; \$750 or more but less than \$5,000.
85	812.014 (2) (d) 1.	3rd	Grand theft, 3rd degree; \$40 or more but less than \$750, taken from dwelling or its unenclosed curtilage.
86	812.014 (2) (e) 2.	3rd	Petit theft, 1st degree; less than \$40 taken from dwelling or its unenclosed curtilage with one prior theft conviction.
87	812.015 (7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
88	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.

89	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
90	817.52 (3)	3rd	Failure to redeliver hired vehicle.
91	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
92	817.60 (5)	3rd	Dealing in credit cards of another.
93	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
94	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
95	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom

related.

96

831.01 3rd Forgery.

97

831.02 3rd Uttering forged instrument;
utters or publishes alteration
with intent to defraud.

98

831.07 3rd Forging bank bills, checks,
drafts, or promissory notes.

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831.08 3rd Possessing 10 or more forged
notes, bills, checks, or
drafts.

100

831.09 3rd Uttering forged notes, bills,
checks, drafts, or promissory
notes.

101

831.11 3rd Bringing into the state forged
bank bills, checks, drafts, or
notes.

102

832.05 (3) (a) 3rd Cashing or depositing item with
intent to defraud.

103	843.01 (2)	3rd	Resist police canine or police horse with violence; under certain circumstances.
104	843.08	3rd	False personation.
105	843.19 (3)	3rd	Touch or strike police, fire, SAR canine or police horse.
106	893.13 (2) (a) 2.	3rd	Purchase of any s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs other than cannabis.
107	893.147 (2)	3rd	Manufacture or delivery of drug paraphernalia.
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109	(e) LEVEL 5		
110	Florida	Felony	
111	Statute	Degree	Description

112	316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
113	316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
114	316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
115	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
116	327.30 (5)	3rd	Vessel accidents involving personal injury; leaving scene.
117	<u>365.172 (14) (b) 2.</u>	<u>2nd</u>	<u>Misuse of emergency communications system resulting in death.</u>
	379.365 (2) (c) 1.	3rd	Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys;

illegal bartering, trading, or sale, conspiring or aiding in such barter, trade, or sale, or supplying, agreeing to supply, aiding in supplying, or giving away stone crab trap tags or certificates; making, altering, forging, counterfeiting, or reproducing stone crab trap tags; possession of forged, counterfeit, or imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is suspended or revoked.

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379.367(4) 3rd Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.

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379.407(5)(b)3. 3rd Possession of 100 or more undersized spiny lobsters.

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381.0041(11)(b) 3rd Donate blood, plasma, or organs knowing HIV positive.

121	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
122	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
123	440.381 (2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
124	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
125	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
126	790.01 (3)	3rd	Unlawful carrying of a concealed firearm.
127			

128	790.162	2nd	Threat to throw or discharge destructive device.
129	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
130	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
131	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
132	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
133	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.

134	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
135	810.145 (4) (c)	3rd	Commercial digital voyeurism dissemination.
136	810.145 (7) (a)	2nd	Digital voyeurism; 2nd or subsequent offense.
137	810.145 (8) (a)	2nd	Digital voyeurism; certain minor victims.
138	812.014 (2) (d) 3.	2nd	Grand theft, 2nd degree; theft from 20 or more dwellings or their unenclosed curtilage, or any combination.
139	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
140	812.015	3rd	Retail theft; property stolen

141	(8) (a) & (c) - (e)		is valued at \$750 or more and one or more specified acts.
142	812.015 (8) (f)	3rd	Retail theft; multiple thefts within specified period.
143	812.015 (8) (g)	3rd	Retail theft; committed with specified number of other persons.
144	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
145	812.081 (3)	2nd	Trafficking in trade secrets.
146	812.131 (2) (b)	3rd	Robbery by sudden snatching.
147	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
148	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than

\$100,000.

149

817.2341 (1),
 (2) (a) &
 (3) (a)

3rd

Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.

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817.568 (2) (b)

2nd

Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more persons.

151

817.611 (2) (a)

2nd

Traffic in or possess 5 to 14 counterfeit credit cards or related documents.

152

817.625 (2) (b)

2nd

Second or subsequent fraudulent use of scanning device,

skimming device, or reencoder.

153

825.1025 (4)

3rd

Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.

154

828.12 (2)

3rd

Tortures any animal with intent to inflict intense pain, serious physical injury, or death.

155

836.14 (4)

2nd

Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.

156

839.13 (2) (b)

2nd

Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.

157

843.01 (1)

3rd

Resist officer with violence to person; resist arrest with

violence.

158

847.0135 (5) (b) 2nd Lewd or lascivious exhibition
using computer; offender 18
years or older.

159

847.0137 3rd Transmission of pornography by
(2) & (3) electronic device or equipment.

160

847.0138 3rd Transmission of material
(2) & (3) harmful to minors to a minor by
electronic device or equipment.

161

874.05 (1) (b) 2nd Encouraging or recruiting
another to join a criminal
gang; second or subsequent
offense.

162

874.05 (2) (a) 2nd Encouraging or recruiting
person under 13 years of age to
join a criminal gang.

163

893.13 (1) (a) 1. 2nd Sell, manufacture, or deliver
cocaine (or other s.
893.03 (1) (a), (1) (b), (1) (d),

(2) (a), (2) (b), or (2) (c) 5. drugs).

164

893.13 (1) (c) 2. 2nd Sell, manufacture, or deliver cannabis (or other s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

165

893.13 (1) (d) 1. 1st Sell, manufacture, or deliver cocaine (or other s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 5. drugs) within 1,000 feet of university.

166

893.13 (1) (e) 2. 2nd Sell, manufacture, or deliver cannabis or other drug

prohibited under s.
 893.03(1)(c), (2)(c)1.,
 (2)(c)2., (2)(c)3., (2)(c)6.,
 (2)(c)7., (2)(c)8., (2)(c)9.,
 (2)(c)10., (3), or (4) within
 1,000 feet of property used for
 religious services or a
 specified business site.

167

893.13(1)(f)1. 1st Sell, manufacture, or deliver
 cocaine (or other s.
 893.03(1)(a), (1)(b), (1)(d),
 or (2)(a), (2)(b), or (2)(c)5.
 drugs) within 1,000 feet of
 public housing facility.

168

893.13(4)(b) 2nd Use or hire of minor; deliver
 to minor other controlled
 substance.

169

893.1351(1) 3rd Ownership, lease, or rental for
 trafficking in or manufacturing
 of controlled substance.

170

171 **Section 3.** This act shall take effect July 1, 2025.